

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

**Great Lakes Gas Transmission
Limited Partnership**

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Docket No. RP13-1367-000

**COMMENTS OF THE
MICHIGAN PUBLIC SERVICE COMMISSION**

Pursuant to Rule 602 of the Federal Energy Regulatory Commission's ("Commission" or "FERC") Rules of Practice and Procedure, 18 C.F.R. § 385.602 (2009), the Michigan Public Service Commission ("MPSC") hereby submits its comments to the Stipulation and Agreement ("Settlement") filed on September 27, 2013 by Great Lakes Gas Transmission Limited Partnership ("Great Lakes") in the above captioned proceeding.

On July 15, 2010, the FERC approved a settlement filed by Great Lakes in Docket No. RP10-149-000 ("2010 Settlement"). Article VI.A of the 2010 Settlement required Great Lakes to file under Section 4 of the Natural Gas Act a general rate case no later than November 1, 2013.

On August 13, 2013, Great Lakes filed a petition requesting that the Commission modify the 2010 Settlement by eliminating the obligation imposed by Article VI.A that required Great Lakes to file a Section 4 rate case on November 1, 2013. In support of its petition, Great Lakes indicated that settlement negotiations between the pipeline, its shippers, the FERC Trial Staff and the FERC Dispute Resolution Division had been ongoing since February, 2013 and that a new agreement-in-principle ("2013 Settlement") had been reached. Great Lakes explained that "extend[ing] on a contingent basis" the November 1, 2013 Section 4 rate case filing date until three months after the issuance of a Commission determination on

the merits on a 2013 Settlement would provide parties the needed time to reduce the agreement-in-principle to writing.

On August 16, 2013, as part of the Joint State Agencies,¹ the MPSC filed a protest to Great Lakes' petition. In its protest the Joint State Agencies explained that despite their active involvement in the 2010 Settlement, they had not been included in any of the 2013 Settlement discussions and therefore were not in a position to weigh in on the merits of Great Lakes' petition. In an effort to avoid the unnecessary cost of litigation and instead to resolve the matter through settlement, the Joint State Agencies requested that a one (1) month extension be granted to extend the Article VI.A filing deadline to December 1, 2013, in order to bring the Joint State Agencies up to speed on the justification for the petition and the agreed to provisions of the proposed 2013 Settlement.

Beginning on August 16, 2013, the MPSC undertook efforts to review all publically available material involving Great Lakes. Following the MPSC's execution of a confidentiality agreement, the pipeline, its shippers and the FERC Trial and Alternative Dispute Resolution staffs worked diligently to bring the MPSC up to speed on the justification for various provisions of the settlement. Two provisions of the Settlement that are of particular importance to the MPSC involve Great Lakes' commitment that it will not place into effect during the rate moratorium period an hourly transportation rate schedule and the fact that the Settlement preserves the Section 5 rights of the MPSC (along with the FERC and other governmental agencies) during the moratorium period. While the MPSC may not be in agreement with all of the individual components of the Settlement, on balance, the MPSC

¹ The Joint State Agencies consisted of the Michigan Public Service Commission, the Public Service Commission of Wisconsin, the Minnesota Public Utilities Commission, the Minnesota Department of Commerce and the Pennsylvania Public Utility Commission.

believes that the Settlement represents a fair compromise of competing interests, provides rate certainty for at least the period of the moratorium, and eliminates the burden and expense of litigation which inures to the benefit of all of the parties. Accordingly, the MPSC requests that the Commission find the Settlement to be fair, equitable and in the public interest.

Respectfully submitted,
**THE MICHIGAN PUBLIC SERVICE
COMMISSION**

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served, via electronic mail or first class mail, the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C. this 15th day of October, 2013.

/s/ Kelly A. Daly